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13 UNITED STATES DISTRICT COURT

14 DISTRICT OF ARIZONA

15 In Re Bard IVC Filters Products
16 Liability Litigation

17 No. MD-15-02641-PHX-DGC

18 **PLAINTIFFS' UNOPPOSED MOTION TO
19 EXTEND EXPERT DISCLOSURE AND
20 FACT WITNESS DEPOSITION
21 DEADLINES PURSUANT TO CMO 36**

22 Plaintiffs, through their attorneys undersigned, respectfully request that the Court
23 extend several pre-trial deadlines from CMO 36 relating to the *Tinlin* bellwether case.
24 Plaintiffs certify that they have conferred with Defendants about the matters set forth
25 below and hereby represent the following:

26 1. The parties shall obtain updated medical records from known treaters and
27 newly identified treaters. The parties agree to a two-week extension of time to October
28 12, 2018 (extended from Friday, September 28, 2018) to complete this ongoing
undertaking.

29 2. Plaintiffs' case-specific expert disclosures. Plaintiffs respectfully request a
30 two-week extension of time to provide their case-specific expert disclosures to Defendants
31 on October 12, 2018 (extended from Friday, September 28, 2018). Defendants do not
32 oppose the extension.

33 3. The parties shall identify treating physicians and fact witnesses to be
34 deposed, and shall complete the depositions on a rolling basis. The parties agree to a two-
35 week extension of time to October 19, 2018 (extended from October 5, 2018) to complete

1 the depositions. Defendants recently identified five physicians for deposition and
2 Plaintiffs are in the process of trying to coordinate dates for each within the currently set
3 deadline.

4 4. Defendants' case-specific expert disclosures. The parties agree to extend
5 Defendants' deadline to provide their case-specific expert disclosures to Plaintiffs by two
6 weeks, or to November 9, 2018 (extended from October 26, 2018).

Plaintiffs believe that good cause exists for the requested extensions given the logistical and scheduling issues that have arisen as a result of the current bellwether trial (*Hyde*), as well as other logistical issues that arose beyond the parties' control and respectfully request that the Court approve the requested extensions. The parties agree to the extensions sought and all other deadlines in CMO 36 remain unaffected.

Respectfully submitted this 26th day of September 2018.

GALLAGHER & KENNEDY, P.A.

By: /s/ Mark S. O'Connor
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CERTIFICATE OF SERVICE

I hereby certify that on this 26th day of September 2018, I electronically transmitted the attached document to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing.

/s/ *Jessica Gallentine*